

Jefferson Parkway Public Highway Authority
Regular Board Meeting Agenda – 2nd Revision
Thursday, December 20, 2018
Arvada City Hall
8101 Ralston Road, Arvada, CO 80002



Executive Session
2:00 p.m.
Council Conference Room, 3rd Floor

Executive session, pursuant to C.R.S., Section 24-6-402(4)(a), Section 24-6-402(4)(b) and Section 24-6-402(4)(e) for the purposes of discussing real property matters, receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations and instructing negotiators related to FAA matters, right-of-way agreements, potential concession matters and professional services agreements.

Regular Board Meeting immediately following Executive Session
Council Chambers, 2nd Floor

- I. Call to Order
- II. Pledge of Allegiance
- III. Approval of Minutes
 - A. November 15, 2018 Regular Board Meeting
- IV. Public Hearings
 - A. Public Hearing on Proposed 2019 Budget:
Resolution 18-03 Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget and Appropriating Sums of Money to Each Fund in the Amounts and for the Purposes Set Forth Herein for the Jefferson Parkway Public Highway Authority for the Calendar Year Beginning on the First Day of January 2019 and Ending on the Last Day of December 2019.
 - B. Public Hearing on Budget Amendment for 2018 Budget:
Resolution 18-04 A Resolution Amending the 2018 Operating Budget
- V. New Business
 - A. Fourth Amendment to the Agreement for Engineering Consulting Services By and Between Jefferson Parkway Public Highway Authority (JPPHA) and LG Gallegos & Associates, Inc.
 - B. Selection of Short-listed RFQ Respondents

C. Authorization for Staff to Initiate a Request for Proposal for a Private Partner to Finance, Design, Construct, Operate and Maintain the Jefferson Parkway

- VI. Report from Executive Director
- VII. Report from General Counsel
- VIII. Report from the Board of Directors
- IX. Informational Items
- X. Public Comment
- XI. Adjournment

Jefferson Parkway Public Highway Authority Regular Board Meeting Minutes



Thursday, November 15, 2018
Arvada City Hall
8101 Ralston Road, Arvada, CO 80002

Executive Session
3:00 p.m.
Council Conference Room, 3rd Floor

Tamara Seaver requested matters for discussion that required an Executive Session, pursuant to C.R.S., Section 24-6-402(4)(a), Section 24-6-402(4)(b) and Section 24-6-402(4)(e) for the purposes of discussing real property matters, receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations and instructing negotiators related to FAA matters, right-of-way agreements, potential concession matters and professional services agreements.

Director Williams made a motion to go into Executive Session for the purposes stated above. Director Beacom seconded the motion.

The following votes were cast on the Motion:

Those voting Yes: Ahrens, Beacom, Jones, Francone, Williams

Regular Board Meeting immediately following Executive Session
Council Chambers, 2nd Floor

Call to Order:

Chairman David Jones called the meeting of the Jefferson Parkway Public Highway Authority (JPPHA) to order at 3:55p.m. Present were Director Director Randy Ahrens, Director David Beacom, Chairman David Jones, Alternate Director Tina Francone, and Director Marc Williams. Also in attendance: Bill Ray, Exec. Director; Tamara Seaver, JPPHA Counsel; Greg Johnson, JPPHA Special Counsel; Kevin Standbridge, Broomfield Deputy City and County Manager; and Chris Daly, Arvada City Attorney

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Following an introduction of Greg Johnson, Squire Patton Boggs, as Special Counsel to the JPPHA Authority, Tamara Seaver excused herself from the remainder of the meeting.

Pledge of Allegiance

Approval of Minutes:

Director Beacom made a motion to approve the October 18, 2018 board meeting minutes as presented. Director Ahrens seconded the motion.

The following votes were cast on the Motion:

Those voting Yes: Ahrens, Beacom, Jones, Williams
Abstain: Francone

Consent Items

- A. Letter of Engagement – Squire Patton Boggs for Legal Services to the Jefferson Parkway Public Highway Authority (Attached)

Bill Ray introduced Greg Johnson with Squire Patton Boggs who will serve as Special Counsel to the Authority on matters involving procurement and asked for approval of the Letter of Engagement. Mr. Ray said Mr. Johnson is also able to serve as bond counsel in the future as needed.

Director Williams moved for approval of the Letter of Engagement with Squire Patton Boggs. Director Beacom seconded the motion.

The following votes were cast on the Motion:

Those voting Yes: Ahrens, Beacom, Jones, Francone, Williams

Report from Executive Director - None

Report from the General Counsel - None

New Business:

- A. Motion to set 2019 Regular Board Meeting Dates (Attached)

Bill Ray asked for a motion to approve the 2019 board meeting dates. Director Williams moved to approve the 2019 board meeting dates as presented. Director Beacom seconded the motion.

Jefferson Parkway Public Highway Authority
Board Meeting Minutes
November 15, 2018

The following votes were cast on the Motion:

Those voting Yes: Ahrens, Beacom, Jones, Francone, Williams

- B. First Amendment to an Intergovernmental Agreement between the Jefferson Parkway Public Highway Authority (JPPHA) and the City of Arvada for the Secondment of an Arvada Employee to JPPHA (Attached)

Bill Ray said the original Intergovernmental Agreement for his services as Executive Director to the Authority expires at the end of 2018. He said this amendment will extend the agreement for an additional year until December 31, 2019 and with mutual consent could be extended on a year to year basis.

Director Ahrens moved that the First Amendment to an Intergovernmental Agreement between the Jefferson Parkway Public Highway Authority (JPPHA) and the City of Arvada for the Secondment of an Arvada Employee to JPPHA, be approved. Director Beacom seconded the motion.

The following votes were cast on the Motion:

Those voting Yes: Ahrens, Beacom, Jones, Francone, Williams

- C. Recommendations from Jefferson Parkway Advisory Committee

Bill Ray stated that the Jefferson Parkway Advisory Committee has submitted their recommendations and will make a presentation to the Authority. The members of the committee present were introduced.

Bill Ray presented the introductory remarks. Ian Owens, Randy Stafford and Brett Vernon, members of the Jefferson Parkway Advisory Committee, presented a Power Point setting out the Committee's recommendations. They reviewed the topics discussed at each of their nine meetings, their recommendations with full committee support and their recommendations with mixed support.

The committee thanked the Board for the opportunity to provide input. Mr. Ray said the final report will be given to the Board by the end of the month and that he will give the Board recommendations.

Chairman Jones and members of the Board thanked all members of the committee for their time and hard work in this important process.

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Mr. Ray thanked Heather Bergman and Sam Haas for their work with this Committee.

Report from the Board of Directors

- A. Director Williams stated that all of the applications for drilling that had been filed by Highlands Natural Resources Corporation in the Rocky Flats area were withdrawn today.

Informational Items:

- A. JPAC October 23, 2018 Meeting Summary

Public Comment - None

Adjournment: Meeting was adjourned at 4:34 p.m.

David Jones, Chair

Christine Koch
Recording Secretary

STATE OF COLORADO
JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY
2019 BUDGET RESOLUTION

The Board of Directors of the Jefferson Parkway Public Highway Authority, State of Colorado, held a regular meeting at Arvada City Hall, 8101 Ralston Road, Arvada, Colorado 80001 on Thursday, December 20, 2018 at the hour of 3:00 P.M., at which a quorum of the Board of Directors was present.

Mr. Ray reported that, prior to the meeting, each of the directors had been notified of the date, time and place of this meeting and the purpose for which it was called. It was further reported that this meeting is a regular meeting of the Board of Directors of the Jefferson Parkway Public Highway Authority and that a notice of regular meeting has been posted in accordance with Section 24-6-402, C.R.S. and as prescribed in the resolution on annual actions regarding meetings and notices, adopted at the January 18, 2018 meeting of the Jefferson Parkway Public Highway Authority and to the best of his knowledge, remains posted to the date of this meeting. A copy of the Notice of Regular Meeting, which was used for this purpose and an original publisher's Affidavit of Publication are attached hereto as **Exhibit A** and incorporated herein by this reference.

**RESOLUTION
OF THE BOARD OF DIRECTORS
OF JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY**

Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget and Appropriating Sums of Money to Each Fund in the Amounts and for the Purposes Set Forth Herein for the Jefferson Parkway Public Highway Authority for the Calendar Year Beginning on the First Day of January 2019 and Ending on the Last Day of December 2019

Resolution 18-03

WHEREAS, the Board of Directors (the "Board") of the Jefferson Parkway Public Highway Authority (the "Authority") has authorized its treasurer and accountant to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, the proposed budget has been submitted to the Board for its review and consideration; and

WHEREAS, due and proper notice was published on November 15, 2018 in the Wheat Ridge Transcript, indicating (i) the date and time of the hearing at which the adoption of the proposed budget will be considered; (ii) that the proposed budget is available for inspection by the public at a designated place; and (iii) that any interested persons may file any objections to the proposed budget at any time prior to the final adoption of the budget by the Authority; and

WHEREAS, the proposed budget was open for inspection by the public at a designated place; and

WHEREAS, a public hearing was held on Thursday, December 20, 2018 and interested persons were given the opportunity to file or register any objections to said proposed budget and any such objections were considered by the Board; and

WHEREAS, the budget being adopted by the Board has been prepared based on the best information available to the Board regarding the effects of Section 29-1-301, C.R.S., and Article X, Section 20 of the Colorado Constitution; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY, STATE OF COLORADO:

Section 1. Summary of 2019 Revenues and 2019 Expenditures. That the estimated revenues and expenditures for each fund for fiscal year 2019, as more specifically set forth in the budget attached hereto as **Exhibit B** and incorporated herein by this reference, are accepted and approved.

Section 2. Adoption of Budget. That the budget as submitted, amended and attached hereto as Exhibit B, is approved and adopted as the budget of the Jefferson Parkway Public Highway Authority for fiscal year 2019.

Section 3. Appropriations. That the amounts set forth as expenditures and balances remaining, as specifically allocated in the budget attached hereto, are hereby appropriated from the revenue of each fund, to each fund, for the purposes stated and no other.

Section 4. Budget Certification. That the budget shall be certified by _____, as _____ of the Authority, and made a part of the public records of the Jefferson Parkway Public Highway Authority and a certified copy of the approved and adopted budget shall be filed with the Colorado Department of Local Affairs Division of Local Government.

[The remainder of this page is intentionally left blank.]

Whereupon, a motion was made and seconded, and upon a unanimous vote this Resolution was approved by the Board.

ADOPTED AND APPROVED THIS 20th DAY OF DECEMBER, 2018.

**JEFFERSON PARKWAY
PUBLIC HIGHWAY AUTHORITY**

By: _____
Its: _____

ATTEST:

By: _____
Its: _____

STATE OF COLORADO
JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY

I, _____, hereby certify that I am a director and the duly elected and qualified _____ of the Jefferson Parkway Public Highway Authority, and that the foregoing constitutes a true and correct copy of the record of proceedings of the Board of Directors of the Authority, adopted at a regular meeting of the Board of Directors of the Jefferson Parkway Public Highway Authority held on Thursday, December 20, 2018, at Arvada City Hall, 8101 Ralston Road, Arvada, Colorado 80001 as recorded in the official record of the proceedings of the Authority, insofar as said proceedings relate to the budget hearing for fiscal year 2019; that said proceedings were duly had and taken; that the meeting was duly held; and that the persons were present at the meeting as therein shown.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of the Authority this 20th day of December, 2018.

By: _____
Its: _____

EXHIBIT A

Notice of Regular Meeting
Affidavit of Publication
Notice as to Proposed 2019 Budget

**NOTICE OF REGULAR BOARD MEETING
OF THE
JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY**



TO BE HELD

Thursday, December 20, 2018
Arvada City Hall
8101 Ralston Rd., Arvada, CO

2:00 p.m. – **Executive Session**
Council Conference Room, 3rd Floor

Board Meeting immediately following Executive Session
Council Chambers, 2nd Floor

NOTICE IS HEREBY GIVEN that the Board of Directors of the **JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY**, of the County of Jefferson, the City and County of Broomfield, and the City of Arvada, State of Colorado, will hold their Regular Board Meeting on Thursday, December 20, 2018 immediately following their executive session at Arvada City Hall, 8101 Ralston Road, Arvada, Colorado. The purpose of the meeting is to conduct such business as may come before the Board. This meeting is open to the public.

**BY ORDER OF THE BOARD OF DIRECTORS:
JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY**

Posted this 13th day of December, 2018

117-824

AFFIDAVIT OF PUBLICATION

State of Colorado }
County of Jefferson } ss

This Affidavit of Publication for the Wheat Ridge Transcript, a weekly newspaper, printed and published for the County of Jefferson, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made on the **15th** day of **November** A.D., 2018, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



For the Wheat Ridge Transcript

State of Colorado }
County of Arapahoe } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before by the abovenamed Gerard Healey, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on the **15th** day of **November** A.D., 2018. Gerard Healey has verified to me that he has adopted an electronic signature to function as his signature on this document.

20134073610-921702

Lindsay L. Nicoletti
Notary Public

My commission ends February 22, 2022

LINDSAY L. NICOLETTI
Notary Public
State of Colorado
Notary ID # 20134073610
My Commission Expires 02-22-2022

Public Notice

NOTICE AS TO PROPOSED
2019 BUDGET AND HEARING
JEFFERSON PARKWAY PUBLIC
HIGHWAY AUTHORITY

NOTICE IS HEREBY GIVEN that a proposed budget has been submitted to the JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY for the ensuing year of 2019. A copy of such proposed budget has been filed in the office of Jefferson Parkway Public Highway Authority, and is available for public inspection at Arvada City Hall, 8101 Ralston Road, Arvada, Colorado 80002. Such proposed budget will be considered at a public hearing at the regular meeting of the Jefferson Parkway Public Highway Authority to be held at 3:00 p.m., or as soon as practicable thereafter, on Thursday, December 20, 2018. The meeting will be held at Arvada City Hall, City Council Chambers, 2nd Floor, 8101 Ralston Road, Arvada, Colorado 80002. Any interested elector within the Jefferson Parkway Public Highway Authority may inspect the proposed budget and file or register any objections at any time prior to the final adoption of the 2019 budget.

BY ORDER OF THE BOARD
OF DIRECTORS:
JEFFERSON PARKWAY
PUBLIC HIGHWAY AUTHORITY

Legal Notice No.: 403734
First Publication: November 15, 2018
Last Publication: November 15, 2018
Publisher: Wheat Ridge Transcript

EXHIBIT B

Budget Document
Budget Message

**Jefferson Parkway Public Highway Authority
2018 Revised and Proposed 2019 Budget**

	2017 Actual	2018 Budget	2018 Actual YTD - Oct 2018	2018 Revised Budget	Proposed 2019 Budget
<i>Beginning FB</i>	\$564,503	\$598,946	\$598,946	\$ 598,946	\$ 66,928
REVENUES					
Member Contributions*	\$1,200,000	\$1,200,000	\$1,200,000	\$ 1,700,000	\$ 7,000,000
Interest	\$10,793	\$5,200	\$11,428	\$ 12,000	\$ 70,000
	<u>\$1,210,793</u>	<u>\$1,205,200</u>	<u>\$1,211,428</u>	<u>\$1,712,000</u>	<u>\$ 7,070,000</u>
EXPENDITURES					
Trainings and Meetings	\$ 846	\$ 10,000	\$ 6,690	\$ 7,500	\$ 7,500
Print/Mail/Supplies	\$ 308	\$ 200	\$ 1,656	\$ 1,500	\$ 1,500
Dues	\$ 759	\$ 200	\$ 327	\$ 327	\$ 500
Insurance (CIRSA)	\$ 2,583	\$ 2,600	\$ 2,713	\$ 2,713	\$ 2,800
Haynie/Audit	\$ 5,600	\$ 5,750	\$ 5,800	\$ 5,800	\$ 5,800
Misc	\$ 5,873	\$ 16,379	\$ 5,180	\$ 4,800	\$ 5,000
PROFESSIONAL SERVICES					
Executive Director			\$ 37,500	\$ 75,000	\$ 150,000
Support Staff			\$ 25,256	\$ 32,000	\$ 50,000
Icenogle	\$ 66,737	\$ 175,000	\$ 82,024	\$ 100,000	\$ 20,000
Squire Patton Boggs					\$ 100,000
Jones and Keller (H. Kenison)	\$ 130,480	\$ 50,000	\$ 115,401	\$ 145,000	\$ 25,000
Clifton	\$ 829	\$ 1,000	\$ 1,721	\$ 2,000	\$ 2,000
HC Peck				\$ 19,000	\$ 5,000
Public Information Officer		\$ 25,000			\$ 50,000
Peak Facilitation	\$ 5,835	\$ 35,000	\$ 10,741	\$ 11,500	\$ 10,000
The Antero Company	\$ 40,000	\$ 75,000	\$ 100,984	\$ 125,000	\$ 100,000
Venable LLP	\$ 79,299		\$ 177,030	\$ 195,000	\$ 12,000
Ballard Spahr LLP	\$ 1,018		\$ 10,238	\$ 10,238	\$ -
CDM Smith	\$ 61,874		\$ 196,640	\$ 196,640	\$ -
Ernst & Young			\$ 154,014	\$ 225,000	\$ 1,250,000
HDR Engineering - includes RMMA			\$ 320,389	\$ 360,000	\$ 500,000
Section 1601	\$ 657,875	\$ 100,000			
E&E 1 Rocky Flats		\$ 29,303			
E&E3Hotchkiss		\$ 24,798			
E&E4 RMMA		\$ 8,767			
E&E5 UP		\$ 8,510			
E&E7 Air park		\$ 5,389			
RFP Prelim Tech Specs				\$ 40,000	
Preliminary Utility Locate Work				\$ 35,000	
Pre- RFP Soils Study				\$ 100,000	
Full Tech Spec/response evals					
LS Gallegos					
ROW Work	\$ 116,433	\$ 50,000	\$ 88,763	\$ 100,000	\$ 100,000
1601 Process oversight		\$ 30,000		\$ 30,000	
Development/Implementation					
Project Feasibility Phase		\$ 460,000			
RFQ/RFP Documents		\$ 550,000		\$ 400,000	\$ 1,400,000
RFP Analysis/contract negotiations**					\$ 2,000,000
Land and Easement Acquisitions					\$ 1,200,000
CDOT Sec 1601 Oversight				\$ 20,000	\$ 15,000
	<u>\$1,176,349</u>	<u>\$1,662,896</u>	<u>\$1,343,067</u>	<u>\$2,244,018</u>	<u>\$ 7,012,100</u>
<i>Ending FB</i>	\$598,946	\$141,250	\$ 467,307	\$ 66,928	\$ 124,828

* includes \$500,000 Arvada prepay 2019

** prior Board approval needed to spend



Jefferson Parkway Public Highway Authority
P.O. Box 1108
Arvada, CO 80001-1108
jppha.org

October 15, 2018

Board of Directors
Jefferson Parkway Public Highway Authority

2019 Budget Message and Letter of Transmittal

Chairman Jones and Members of the Board:

I am pleased to present to you the draft 2019 budget for the Jefferson Parkway Public Highway Authority (the "Authority") and the revised 2018 budget. Two years ago, the Board agreed to double the revenue advances of each member government in 2017 and 2018 to the Authority in order to complete the Section 1601 process, resolve other major permitting needed (primarily FAA permits) and to retain a Strategic Advisor to investigate project feasibility. After reviewing the level one traffic and revenue study completed by CDM Smith earlier this year, the Board has authorized development and release of a Request for Qualifications for teams to propose on the design, construction, operations, maintenance and financing of the Jefferson Parkway. There has been strong market interest since the RFQ release on September 7 – hopefully this will translate to competitive responses on December 6 when the RFQ responses are due.

Review of 2018 Budget and Accomplishments –

As noted, the completion of the traffic and revenue study in April was a major milestone, demonstrating that there are reasonable prospects for a 100% revenue-risk transfer to the private sector. Through the assistance of Mr. Hunt as strategic advisor, you now have a quality procurement team with LS Gallegos and HDR/Atkins as owner's engineer, Ernst and Young as Financial Advisor, and Ashurst as Transaction Attorney. In addition we have the specialized legal services provided through Venable in Washington DC and Howard Kenison on environmental issues.

Two challenges this year have been to work through the various permitting requirements of the FAA at the northern terminus of the Parkway and concluding the Section 1601 process. Thanks to the welcomed partnership with CDOT, the northern terminus of the Parkway will be moved to the west of the original location, thus moving the Parkway outside of the Runway Protection Area that has been of great concern to FAA. In January, the State Transportation Commission determined that the terms and conditions contained in the 2009 System Feasibility Study approval have been satisfied. The balance of the year has been working with the local CDOT staff to define the terms and conditions for the issuance of three access permits needed at SH 93, SH 72 and SH 128. As of this writing, CDOT indicates that it is largely satisfied with the data submitted in support of the permit issuance.

The Jefferson Parkway Advisory Group has been active throughout 2018. They are 12 citizens representing a variety of perspectives about the Parkway and have generously devoted hours of their time to become familiar with the history and status of the Parkway and its relationship to neighborhoods, adjoining communities, Rocky Flats and other transportation developments. They will be providing you with recommendations regarding neighborhood issues, Rocky Flats, design considerations and future public input as the project goes forward.

There are several proposed revisions for the 2018 budget as adopted last December. One involves the need to perform preliminary soils and hydrology testing. Virtually all proposers have requested that the Authority perform some analysis of areas along the right of way where major structures are proposed; i.e. bridges and major drainage structures. Another unknown is the extent and nature of possibly contaminated groundwater in the area around the UP railroad where the Parkway will go underneath the railroad. Also, there were many requests from proposers to identify the location and owner of utilities crossing the Parkway. Finally, and related to work on the Request for Proposal, there is a need to begin writing technical specifications that will be included in the RFP. Those items together are \$175,000 and are not currently budgeted.

The other major revision is to include funds to develop the legal documents comprising the proposed concession agreement. The project team has recommended that the draft concession agreement be included with the Request for Proposal. This provides proposers with clear understanding of how the Authority views the transaction and its many components. This also significantly reduces negotiating time needed once a preferred private partner is identified. That cost is estimated at \$400,000 again not currently budgeted.

In order to cover these extra costs, Arvada has informally indicated it would be willing to pre-pay \$500,000 of its 2019 financial commitment for these needed tasks rather than waiting for the next fiscal year to begin the work.

Proposed 2019 Budget –

The budget proposes to spend \$7,087,100 for a successful procurement of a private partner to design, build, operate, maintain and finance the Jefferson Parkway. The 2019 budget is a reflection of the fundamental transition of the Authority's mission from one of planning and permitting to one of action and implementation. Specifically, next year will be the point where a private partner will be selected and all aspects of a long term concession agreement will be developed, negotiated and agreed upon. Our project schedule calls for the Board to short list up to three teams on December 20, 2018 and then to issue a Request for Proposal (RFP) to those three teams in January 2019. The response time is eight months; it would not be unusual for each of the teams to spend around \$5,000,000 each to develop their response. Correspondingly, it will require a marked increase in the Authority's capacity to analyze, evaluate and ultimately determine which project approach makes the most sense to you as decision makers. In recognition of this work load, the proposed budget is \$7,187,100. The concomitant advanced funds request from each member government is \$2,500,000 for next year.

The good news is that the project team assembled comes with extraordinary ability to provide detailed and insightful understanding of the technical, legal and financing implications of the proposals we will receive in late summer next year. 2019 will be the high water mark for expenditures required to bring the Jefferson Parkway to fruition. Looking ahead, 2020 and 2021 will require project and contract

management capacity, but the need for specialized legal and financial advice will have passed, with the consequent decrease in budget.

For the 2019 budget there are certain major cost centers already known, such as:

Development of the RFP documents - \$1,400,000

Financial advice, analysis and financial close - \$1,250,000

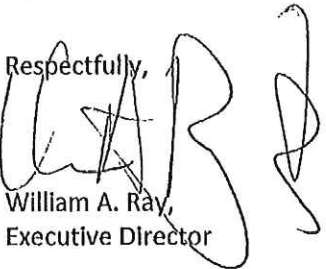
Develop, review and evaluate construction, operations and maintenance \$500,000

There is a \$1.2 million set aside for land acquisition needed for one intersection and possible drainage or construction easements. Other cost centers are either not yet known (such as additional hydrological testing that may be needed), or are matters where you as policy makers have not yet made a decision, such as stipend payments. Normally, the traditional process would be to seek a supplemental appropriation if there were large additional funds required. Problematically, for Public Highway Authorities this process is identical to budget adoption, which functionally takes about 3 months to accomplish given the differing processes of the three member jurisdictions. This is not a practicable alternative in order to maintain the project time line. To that end, there is a \$2,000,000 proposed line item for RFP Analysis/Contract negotiation in the draft budget. The budget resolution you will consider in December will contain a proviso that those funds may only be released with prior approval of the Board.

The budget also contemplates adding a marketing/public information officer function. As the project becomes more visible, it will be essential to keep the public informed on progress, develop and deliver key messages to the media and the public and generally to provide accurate and timely information.

As the Authority enters its second decade, there is every prospect for 2019 to be the year in which the goal of securing a private partner is finally realized. Thank you for the opportunity to continue to work on the realization of the Jefferson Parkway.

Respectfully,


William A. Ray,
Executive Director

**RESOLUTION
OF THE BOARD OF DIRECTORS
OF THE E-470 PUBLIC HIGHWAY AUTHORITY**

A Resolution Amending the 2018 Operating Budget

Resolution 18-04

COMES NOW, _____, the _____ of the Board of Directors of the Jefferson Parkway Public Highway Authority (the "Authority), and certifies that at a regular meeting of the Board of Directors of the Authority, held at 3:00 P.M. on Thursday, December 20, 2018, at Arvada City Hall, 8101 Ralston Road, Arvada, Colorado 80001 at which a quorum was present, the following resolution was adopted by affirmative vote of a majority of the Board of Directors, to-wit:

WHEREAS, the Authority was created pursuant to the Public Highway Authority Law Section 43-4-501, *et seq.*, C.R.S, to finance, construct, operate and maintain the Jefferson Parkway Public Highway ("JPPHA"); and

WHEREAS, the Board of Directors of the Authority is empowered to adopt a budget to achieve its objectives to finance, construct, operate and maintain JPPHA; and

WHEREAS, in accordance with Section 43-4-506(1)(f), C.R.S., the Authority was created to finance, construct, operate and maintain JPPHA and all related improvements and appurtenances; and

WHEREAS, the Board of Directors of the Authority appropriated funds for the fiscal year 2018 as follows:

Operating Fund	\$1,712,563; and
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WHEREAS, the necessity has arisen for additional expenditures and transfers by the Authority due to additional costs which could not have been reasonably anticipated at the time of the adoption of the budget, requiring the expenditures of funds in excess of those appropriated for the fiscal year 2018; and

WHEREAS, funds are available for such an expenditure and transfer from surplus revenue funds of the Authority; and

WHEREAS, due and proper notice was published on Thursday, November 15, 2018 in the Wheat Ridge Transcript, indicating (i) the date and time of the hearing at which the adoption of the proposed 2018 budget amendment will be considered; (ii) that the proposed budget amendment is available for inspection by the public at a designated place; and (iii) that any interested persons may file any objections to the proposed budget amendment at any time prior to the final adoption of the budget by the Authority, as shown on the publisher's Affidavit of Publication attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, the proposed budget amendment was open for inspection by the public at a designated place; and

WHEREAS, a public hearing was held on Thursday, December 20, 2018 and interested persons were given the opportunity to file or register any objections to said proposed budget amendment and any such objections were considered by the Board of Directors; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Authority shall and hereby does amend the budget for the fiscal year 2018 as follows:

Operating Fund \$2,244,018

BE IT FURTHER RESOLVED, that such sums are hereby appropriated from the revenues of the Authority to the Operating Fund for the purpose stated.

Whereupon, a motion was made by _____ and seconded by _____, and upon a unanimous vote this Resolution was approved by the Board of Directors.

ADOPTED AND APPROVED ON THE 20th DAY OF DECEMBER, 2018.

(SEAL)

BOARD OF DIRECTORS:
JEFFERSON PARKWAY PUBLIC HIGHWAY
AUTHORITY

By: _____
Its: _____

ATTEST:

By: _____
Its: _____

EXHIBIT A

Notice of Regular Meeting
Affidavit of Publication
Notice as to Proposed 2018 Budget Amendment

**FOURTH AMENDMENT TO THE
AGREEMENT FOR ENGINEERING CONSULTING SERVICES
BY AND BETWEEN
JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY
AND
LS GALLEGOS & ASSOCIATES, INC.**

This **FOURTH AMENDMENT TO THE AGREEMENT FOR ENGINEERING CONSULTING SERVICES** (the "Amendment") is entered into effective the 1st day of January, 2019 by and between **LS GALLEGOS & ASSOCIATES, INC.**, a Colorado corporation (hereinafter referred to as "Consultant"), and the **JEFFERSON PARKWAY PUBLIC HIGHWAY AUTHORITY**, a body corporate and a political subdivision of the State of Colorado (hereinafter referred to as the "Authority") (hereinafter referred to as the "Party" or the "Parties").

RECITALS

WHEREAS, the Authority and Consultant entered into the Agreement for Engineering Consulting Services dated December 24, 2013, which was amended by the First Amendment to the Agreement for Engineering Consulting Services entered into January 21, 2016, which was further amended by the Second Amendment to the Agreement for Engineering Consulting Services effective January 1, 2017, and which was amended by the Third Amendment to the Agreement for Engineering Consulting Services entered into January 21, 2018 (collectively the "Agreement"); and

WHEREAS, the Authority and Consultant wish to extend the term of the Agreement; and

WHEREAS, the Authority and Consultant wish to amend the rates listed in the compensation provisions of the Agreement; and

WHEREAS, in accordance with Paragraph 17 of the Agreement the Parties may amend the Agreement upon mutual written agreement.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein the adequacy of which is hereby acknowledged by the Parties to be sufficient, the Parties agree as follows:

TERMS AND CONDITIONS

1. **TERM OF AGREEMENT**. Paragraph 3 of the Agreement is hereby amended to extend the term of the Agreement by the addition of the following language:

The term of this Agreement shall be extended for one additional year commencing on January 1, 2019 and continue through December 31, 2019.

2. COMPENSATION. Paragraph 5 of the Agreement is hereby amended to revise the hourly rates of the listed personnel as follows:

(1) Sr. Vice President/Program Manager	\$255.00 per hour
(2) Sr. Engineering Consultant	\$221.00 per hour
(3) Sr. Project Engineer	\$216.00 per hour
(4) Sr. Contracts Administrator	\$245.00 per hour
(5) Project Analyst	\$105.00 per hour
(6) Sr. Cost Estimator	\$153.00 per hour

3. EFFECTIVE DATE. This Amendment is effective as of January 1, 2019.

4. FULL FORCE AND EFFECT. Except as expressly modified by this Amendment, all provisions of the Agreement shall remain in full force and effect.

[The remainder of page intentionally left blank.]

IN WITNESS WHEREOF, the Parties have caused this Amendment to be as of the day and year first above written. By signature of its representatives below, each party affirms it has taken all necessary action to authorize said representative to execute this Amendment.

**JEFFERSON PARKWAY PUBLIC HIGHWAY
AUTHORITY**

By: _____
Its: _____

ATTEST:

By: _____
Its: _____

LS GALLEGOS & ASSOCIATES, INC.

Matthew M. McDole
By: Matthew M. McDole
Its: Sr. Vice President

ATTEST:

Melanie Wood
